

REMARKS

1. The Office Action has indicated that the listing of references in the Background of the application is not a proper information disclosure statement. In response thereto, Application is enclosing herewith the IDS and cite form that Applicant believes was forwarded with the original patent application.

2. The Office Action has objected to Claims 1 and 7 due to specified informalities. More particularly, Claim 1, line 10, and Claim 7, line 15, define the lower member as isolating the mounting bracket and the mounting flange, and the Office Action suggests that the “lower member” should perhaps be the “upper member”. In response thereto, Applicant respectfully submits that both the upper and lower members isolate the mounting flange from the mounting bracket and, thus, the identified limitations are correct. Accordingly, Applicant respectfully requests that this objection be reconsidered and withdrawn.

3. The Office Action has rejected Claims 1, 5 – 9, and 12 – 15 under the provisions of 35 U.S.C. §102(b) as being anticipated by U. S. Patent No. 4,478,396 (Kawaura). This rejection is respectfully traversed.

Applicant would direct the Examiner’s attention to the amendments to Claims 1, 7 and 12, to further define Applicant’s invention over the cited prior art reference. More particularly, these amended independent claims define one of the upper and lower members as being fabricated from a soft elastomeric material, such as micro cellular urethane, while the other of the upper and lower members is fabricated from a harder elastomeric material, such as butyl or natural rubber. The softer elastomeric material minimizes the transmission of noise

from the automotive chassis component of the vehicle to the body component mounted by the body mount on the chassis. The harder elastomeric material minimizes the transmission of vibrations from the chassis to the body component. The hybrid combination of elastomeric body mount materials provides surprising results heretofore unknown in the art by providing 50% more damping than a standard body mount assembly fabricated with micro cellular urethane upper and lower members, while reducing interior noise levels.

Applicant respectfully submits that the cited Kawaura reference does not teach or suggest a body mount fabricated as defined in the amended independent claims. Furthermore, Kawaura contains no teaching, suggestion or recognition that the use of a soft elastomeric material as one of the isolating members and a harder elastomeric material as the other isolating members would provide the superior results found by Applicant, and reflected in the graph of Fig. 4.

In view of the amendments made above, Applicant respectfully requests that this rejection be reconsidered and withdrawn.

4. The Office Action has rejected Claims 2, 10 and 16 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Kawaura in view of U. S. Patent No. 5,701,277 (Ring). The Office Action states that the Kawaura reference does not teach that the upper member can be fabricated from micro cellular urethane, but Ring teaches the use of micro cellular urethane for a bushing member. This rejection is respectfully traversed.

Applicant would direct the Examiner's attention to the amendments made to independent Claims 1, 7 and 12, above, from which the rejected claims respectively depend. Applicant respectfully submits that, while Ring does teach that a bushing member can be

fabricated from micro cellular urethane, Ring adds nothing to the teachings of Kawaura to teach or suggest that a body mount can be formed from upper and lower members, one of which is a soft elastomeric material such as micro cellular urethane, while the other is a harder elastomeric material such as butyl or natural rubber. Furthermore, neither Kawaura nor Ring, whether taken singly or in combination, reflect any appreciation that the hybrid combination of elastomeric materials, as defined in the amended independent claims, provides the surprising results demonstrated in the graph of Fig. 5.

Accordingly, Applicant respectfully requests that this rejection be reconsidered and withdrawn.

5. The Office Action has rejected Claims 3 – 4, 11, and 17 – 18 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Kawaura in view of U. S. Patent No. 6,471,179 (Tousi). The Office Action states that the Kawaura reference does not teach that the lower member can be fabricated from natural or butyl rubber, but that Tousi teaches the use of natural or butyl rubber for a bushing member. This rejection is respectfully traversed.

Applicant would direct the Examiner's attention to the amendments made to independent Claims 1, 7 and 12, above, from which the rejected claims respectively depend. Applicant respectfully submits that Tousi adds nothing to the teachings of Kawaura to meet the limitations set forth in the amended independent claims. Furthermore, neither Kawaura nor Tousi, whether taken singly or in combination, reflect any appreciation that the hybrid combination of elastomeric materials, as defined in the amended independent claims, provides the surprising results demonstrated in the graph of Fig. 5.

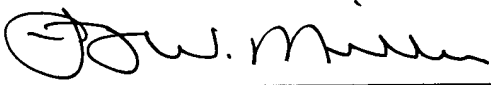
Accordingly, Applicant respectfully requests that this rejection be reconsidered and withdrawn.

6. In summary, Claims 1 – 4, 7, 10 – 12, 14 and 18 have been amended, Claim 13 has been canceled, and Claims 1 – 12 and 14 - 18 remain in the application. Applicant believes that the claims are allowable based on the foregoing amendments. Applicant respectfully requests that all objections and rejections be reconsidered and withdrawn and that all claims remaining in this case be allowed.

Pursuant to currently recommended Patent Office practice, the Examiner is expressly authorized to call the undersigned attorney if in his judgment disposition of this application could be expedited or if he considers the case ready for final disposition by other than allowance.

Respectfully submitted,

Date: June 21, 2005



Larry W. Miller, Reg. No. 29,417
Attorney for Applicant
Miller Law Group, PLLC
25 Stevens Avenue
West Lawn, PA 19609
Phone: 610-670-9000
Fax: 610-670-9901